

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Tuesday, January 17, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
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Organizational Meeting

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green (Ruckh)  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
Room: EW49  
Phone: 332-1139  
Email: [hbus@house.idaho.gov](mailto:hbus@house.idaho.gov)

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Tuesday, January 17, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green (Lesmeister), Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** welcomed the committee and introduced the committee secretary, **Michelle Anderson** and Page, **Cache Miller**.

**Chairman Clow** assigned proofreaders for the committee: **Rep. Berch** and **Rep. Lanting**.

**Chairman Clow** put the committee at ease.

**Chairman Clow** resumed the meeting.

**Chairman Clow** shared the mission of the business committee. He also reviewed the committee procedures and upcoming items. He said the committee will function as an electronic committee and will allow remote public testimony. He reminded committee members the RSs provided in the electronic folder are confidential and should not be shared. **Chairman Clow** also explained his preference to have legislation brought to him in draft form before it is an RS.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:49 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Thursday, January 19, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS 29938C1</a>	Idaho Division of Occupational and Professional Licenses review to change code references.	Tim Frost, Division of Occupational and Professional Licenses
	Discussion regarding administrative rules process. Will include an overview of IDAPA Rules.	Rep. Ehlers Josh Scholar, Legislative and Regulatory Affairs Bureau Chief

COMMITTEE MEMBERS

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Rep Dixon (1)

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Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green (Lesmeister)  
Rep Rubel

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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Thursday, January 19, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green (Lesmeister), Rubel

**ABSENT/  
EXCUSED:** Barbieri, Monks

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** asked committee members to introduce themselves.

**MOTION:** **Rep. Berch** made a motion to approve the minutes of January 17, 2023. **Motion carried by voice vote.**

**RS 29938C1:** **Tim Frost**, Deputy Administrator at Division of Occupational and Professional Licenses (DOPL) presented **RS 29938C1** explaining it's purpose is to change code references to align the reference terms of the former Division of Building Safety into the Idaho Division of Occupational and Professional Licenses and the reference terms of the administrator of Division of Building Safety to be the administrator of the Division of Occupational and Professional Licenses. Mr. Frost explained **RS 29938C1** is the final bill of three clean-up bills.

**MOTION:** **Rep. Furniss** made a motion to introduce **RS 29938C1**. **Motion carried by voice vote.**

**Chairman Clow** called on **Vice Chair Ehlers** to share with the committee what they would be seeing with rules this year. **Chairman Clow** turned the gavel over to **Vice Chair Ehlers**.

**Vice Chair Ehlers** gave an introduction about the rules process and how last year's rule making has impacted this year's process. He further explained since there are so few rules and they are all related to one department, the committee will address them as a whole committee at a future meeting.

**Vice Chair Ehlers** also explained the Business Committee was erroneously sent **Docket No. 24-0000-2201F** meant for the Health and Welfare Committee and suggested the committee forward them to Health and Welfare. **Rep. Crane (13)** and **Rep. Dixon (1)** expressed their preference to see the docket before voting to forward the rule to Health and Welfare. **Rep. Rubel** assured members that as a member of the Health and Welfare Committee, the rules will be thoroughly reviewed.

**Vice Chair Ehlers** turned the gavel over to **Chairman Clow**.

**MOTION:** **Rep. Crane (13)** made a motion to delay voting on forwarding **Docket No. 24-0000-2201F** to Health and Welfare until a later meeting. **Motion carried by voice vote.**

**Josh Scholer**, Legislative and Regulatory Affairs Bureau Chief, gave an overview of the administrative rules and legislative review process.

In response to committee questions, **Mr. Scholer** further clarified the process for creating rules including the circumstance when rules are brought back to the legislature after being rejected in previous sessions. He also explained the difference between rules and law and how statutes trump rules. Mr. Scholer shared that he is unaware of any agency without statutory rule-making authority that makes rules. Specifically, he said the Electrical Board believes they have been given statutory authority by the legislature to promulgate the rules, but the legislature has repeatedly rejected the rules regarding ratios. Mr. Scholer position is that the simplest way to resolve this issue would be for the legislature to pass a statute stating there should be no ratio. **Chairman Clow** shared a similar experience on the Education Committee which resulted in the legislature codifying standards to resolve the issue. Mr. Scholer further explained in Idaho law it says non-fee rules go into effect upon sine die and fee rules must be approved by concurrent resolution.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 2:25 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Monday, January 23, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>24-0000-2201F</u></a>	Division of Occupational and Professional Licensing — Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule	Chairman Clow
	Department of Finance Overview and Mission	Anthony Palidori, Department of Finance
	Department of Insurance Overview and Mission	Director Dean Cameron, Department of Insurance
	IDOPL Overview and Mission	Tim Frost, Idaho Division of Occupational and Professional Licenses

Public testimony may be limited to two minutes  
at the discretion of the Chair. Germane  
stakeholder groups with prior approval may  
request up to 5 minutes.

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
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Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
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Rep Lanting  
Rep Petzke  
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Rep Green (Lesmeister)  
Rep Rubel

COMMITTEE SECRETARY

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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, January 23, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green (Miller), Rubel

**ABSENT/  
EXCUSED:** Reps. Barbieri, Dixon(1), Rubel

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** welcomed **Rep. Morgan Miller** substituting for **Rep. Green**.

**Chairman Clow** shared the next item on the agenda is to pick up where the committee left off on **DN. 24-0000-2201F** within the DOPL fee rules which should have been sent to the House Health & Welfare Committee.

**MOTION:** **Rep. Crane (13)** made a motion to refer **DN. 24-0000-2201F** to the Health and Welfare Committee for their action. **Motion carried by voice vote.**

**Director Patty Perkins** of the Department of Finance presented an overview of the organization. The department's mission is to safeguard the financial health of Idahoans through the appropriate oversight of diverse financial institutions, the education and protection of consumers, and by fostering sensible innovation in the financial services markets. She shared the department has a vision to excel in this space and do that through the practice of values instituted: trust, accountability, empowerment, collaboration, adaptability and fairness.

**Deputy Director Anthony Polidori** expanded more about the bureaus contained within the Department of Finance: Financial Institutions Bureau, Consumer Finance Bureau, Securities Bureau, and Supporting Services Bureau.

In response to committee questions: **Director Perkins** shared while it is not currently regulated by Federal or Idaho law, the Department of Finance is aware of issues surrounding cryptocurrency. The department's position is some activities utilized in the cryptocurrency market are subject to the Trust Institutions Act for the protection of Idahoans. Director Perkins also elaborated that if Idaho consumers are victims of financial fraud, the Department of Finance investigates. If the issue is not financial related, they would direct the consumer to the appropriate department.

**Director Dean Cameron** of the Department of Insurance introduced Deputy Director, **Wes Trexler**, Consumer Services Bureau Chief, **Randy Pipal**, Consumer Activities Bureau Chief, **Eric Fletcher**, and Public Information Officer, **Julie Robinson**. He thanked Department of Finance **Director Perkins**, sharing their departments' fraud units often collaborate on fraud cases. Director Cameron presented an overview of the Department of Insurance including the Consumer Services Bureau, Market Oversight Bureau, Company Activities Bureau and State Fire Marshal. He also shared the mission of the department is to serve and protect Idahoans by equitably and effectively and fairly administering the Idaho Insurance Code and the International Fire Code.

In response to committee questions, **Director Cameron** explained when fraud investigations determine the action to be taken is administrative in nature, it is referred to an administrative hearing, if it is determined there is enough evidence of criminality, it is referred to the Attorney General's office. He explained it's getting more difficult to find insurance in rural areas due to reinsurance and because of the number of fires on state lands and forest lands. Director Cameron shared that having the Fire Marshall housed within the Department of Insurance, which is true for most states, began with **Benjamin Franklin** who was the first fire chief and created the first fire insurance company.

**Deputy Administrator Tim Frost** of the Idaho Division of Occupational & Professional Licenses introduced **Administrator Russel Barron**, Building, Construction & Real Estate Bureau Chief, **Amy Lorenzo**, and Occupational Licenses Bureau Chief, **Ann Lawler** to the committee. Mr. Frost presented an overview of IDOPL including the division history which began with the signing of **H 318** and the creation of the new division from the former Bureau of Occupational Licenses. He shared the division's strategic plan covering 2022-2026 as well as their mission: "Consumer protection and public safety". He also explained about the move from multiple locations around the Treasure Valley to a consolidated location which began in 2021 and completed in 2022. Mr. Frost encouraged the committee members to take a tour of the new campus. He explained the new location is customer-centric for any of the board and commission meetings the public attends in person or online. Mr. Frost explained the final task from the governor was to seek efficiencies from the combined organizations with the consolidation of information technology systems across their boards. DOPL is currently in negotiations regarding that technology system.

In response to committee questions, **Mr. Frost** explained they are in the final stages of the negotiations for the information technology systems.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 2:32 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Wednesday, January 25, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>18-0203-2201</u></a>	Certificate of Liability Insurance for Motor Vehicles (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Dept. of Insurance
<a href="#"><u>18-0701-2201</u></a>	Rules for Acquiring Control, Insurance Holding Company Systems and Mutual Insurance Holding Companies (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Dept. of Insurance
<a href="#"><u>18-0702-2201</u></a>	Reserve Liabilities and Minimum Valuations for Annuities and Pure Endowment Contracts (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Dept. of Insurance
<a href="#"><u>18-0703-2201</u></a>	Valuation of Life Insurance Policies Including the Use of Select Mortality Factors (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Dept. of Insurance
<a href="#"><u>RS 30059</u></a>	Prohibits financial institutions from disclosing deposit and transaction information to the federal IRS except where required by law.	Rep. Petzke

Public testimony may be limited to two minutes at the discretion of the Chair. Germane stakeholder groups with prior approval may request up to five minutes.

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green (Miller)  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Wednesday, January 25, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green (Miller), Rubel

**ABSENT/  
EXCUSED:** Representatives Crane (12), Rubel

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** turned the gavel over to **Vice Chair Ehlers**.

**DOCKET NO. 18-0203-2201:** **Director Cameron** from Department of Insurance gave a history of his department's reduction of rules even prior to **Governor Little's** Zero Based Regulation. He noted how Idaho has become a trendsetter in the insurance regulation world because of the continued reduction in the regulations. Director Cameron explained the proposed rule changes in **Docket No. 18-0203-2201**, regarding Certificate of Liability Insurance for Motor Vehicles (ZBR Chapter rewrite).

In response to committee questions, **Director Cameron** explained as a general rule, they have avoided the terms shall and must in rules, unless required by statute. There is a permissiveness in the way the insurance certificate may be provided- either in the original contract or a copy thereof.

**MOTION:** **Rep. Berch** made a motion to approve **Docket No. 18-0203-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0701-2201:** **Director Cameron** explained **Docket No. 18-0701-2201**, proposed rules for Acquiring Control, Insurance Holding Company Systems and Mutual Insurance Holding Companies (ZBR Rewrite). He said it is a simplification and rules reduction, not a change in policy or procedure. During the rule-making process, there were no comments or concerns expressed by industry or interested parties.

In response to committee questions, **Director Cameron** clarified the changes to the definitions of affiliated person is not changing the meaning but to reduce the number of words. He also explained changing the word dividends to distribution doesn't broaden the meaning.

**MOTION:** **Rep. Furniss** made a motion to approve **Docket No. 18-0701-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0702-2201:** **Director Cameron** explained **Docket No. 18-0702-2201**, pending rules for Reserve Liabilities and Minimum Valuations for Annuities and Pure Endowment Contracts (ZBR Chapter Rewrite). This rule does not change any policy or procedure or make any definitional change it is clarifying language and removes duplicated languages. During the rule-making process, there were no comments or concerns expressed by industry or interested parties.

In response to committee questions, **Director Cameron** clarified the tables used are tied to when the policy is purchased. The mortality tables are established nationally and they are the foundation by which carriers operate in developing rates.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 18-0702-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0703-2201:** **Director Cameron** explained **Docket No. 18-0703-2201**, pending rules for Valuation of Life Insurance Policies Including the Use of Select Mortality Factors (ZBR Chapter Rewrite). This rule does not change any policy or procedure or make any definitional change it is clarifying language and is simplifying the rules. During the rule-making process, there were no comments or concerns expressed by industry or interested parties.

**MOTION:** **Rep. Lanting** made a motion to approve **Docket No. 18-0703-2201**. **Motion carried by voice vote.**

**Vice Chair Ehlers** turned the gavel over to **Chairman Clow**.

**RS 30059:** **Rep. Petzke** presented **RS 30059** proposed legislation which protects the privacy of Idahoans by prohibiting a bank, savings bank, savings and loan association, or credit union chartered under this state's law (state-chartered financial institution) from disclosing to the federal Internal Revenue Service deposit and withdrawal transaction information for any account held at the state-chartered financial institution except when required by preexisting state or federal law.

In response to committee questions, **Rep. Petzke** explained any transactions information that would currently be legally released by subpoena would still be allowed, while stopping the IRS from additional regulations. He also shared that this RS has no threshold dollar amount. **Trent Wright** from the Idaho Bankers Association added there are a total of eight states he is aware of that have or will be bringing similar legislation forward this year.

**MOTION:** **Rep. Monks** made a motion to introduce **RS 30059**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:13 p.m.

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Representative Ehlers  
Vice Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Tuesday, January 31, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 23</a>	OCCUPATIONAL AND PROFESSIONAL LICENSES - Amends existing law to replace references to the Division of Building Safety with the Division of Occupational and Professional Licenses.	Rep. Andrus Tim Frost, DOPL
<a href="#">18-0202-2201</a>	Automobile Insurance Policies (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Idaho Dept. of Insurance
<a href="#">18-0708-2201</a>	Property and Casualty Actuarial Opinion Rule (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Idaho Dept. of Insurance
<a href="#">18-0709-2201</a>	Life and Health Actuarial Opinion and Memorandum Rule (ZBR Chapter Rewrite) - Proposed Rule	Dean Cameron, Director, Idaho Dept. of Insurance
<a href="#">18-0802-2201F</a>	Fire Protection Sprinkler Contractors (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Dean Cameron, Director, Idaho Dept. of Insurance

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Rep Crane (13)  
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Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green (Miller)  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Tuesday, January 31, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** Called the meeting to order at 1:30 p.m.

**H 23:** **Rep. Andrus** introduced **H 23** to the committee and welcomed **Tim Frost**, Division Deputy Administrator, Idaho Division of Occupational and Professional Licenses. **Rep. Andrus** explained **H 23** is a clean-up bill to align reference terms of the former Division of Building Safety into the Idaho Division of Occupational and Professional Licenses. In addition, the proposal will align the reference terms of the administrator of Division of Building Safety to be the administrator of the Division of Occupational and Professional Licenses.

**MOTION:** **Rep. Dixon(1)** made a motion to send **H 23** to the floor with a **DO PASS** recommendation. **Motion carried with a voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

**Chairman Clow** introduced page, **Trew Lammers**.

**Chairman Clow** turned the gavel over to **Vice Chair Ehlers**

**Reps. Redman, Furniss, Cornilles, and Dixon(1)** declared a **Rule 80**.

**DOCKET NO. 18-0202-2201:** **Vice Chair Ehlers** welcomed **Dean Cameron**, Director, Department of Insurance. **Director Cameron** explained the purpose of **Docket No.18-0202-2201** was to clarify a certain type of insurance policy coverage information disclosures for consumers, to disallow insurers from charging premium for minimum limit coverage at offset. In addition, the rule change clarified and simplified language and removed duplicated language.

In response to committee questions, **Director Cameron** shared the department worked to simplify the process and make it easy to understand for consumers.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No.18-0202-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0708-2201:** **Dean Cameron**, Director, Department of Insurance. **Director Cameron** explained the purpose of **Docket No. 18-0708-2201** is to clarify and reduce language. There were no changes in policy or substance of the rule.

**Reps. Redman, Dixon(1), Furniss, and Cornilles** declared a **Rule 80**.

**MOTION:** **Rep. Furniss** made a motion to approve **Docket No. 18-0708-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0709-2201:** **Dean Cameron**, Director, Department of Insurance, explained the purpose of **Docket No. 18-0709-2201** is to clarify and reduce language. There were no changes in policy or procedures.

**Reps. Redman, Dixon(1), Furniss, and Cornilles** declared a **Rule 80**.

**MOTION:** **Rep. Cornilles** made a motion to approve **Docket No. 18-0709-2201**. **Motion carried by voice vote.**

**DOCKET NO. 18-0802-2201F:** **Dean Cameron**, Director, Department of Insurance, explained the purpose of **Docket No. 18-0802-2201F** is to clarify and reduce language. There were no changes in policy and no changes to fees.

In response to committee questions, **Director Cameron** introduced Fire Marshall **Knute Sandahl** who explained the elimination of duplicate text in the rules are covered in other sections and within the body of the standard which is required to be followed.

**Reps. Crane(13) and Crane(12)** declared a **Rule 80**.

**MOTION:** **Rep. Berch** made a motion to approve **Docket No. 18-0802-2201F**. **Motion carried by voice vote.**

**Vice Chair Ehlers** turned the gavel over to **Chairman Clow**.

**Chairman Clow** explained the fee rules will require a concurrent resolution with both bodies to accept that. Concurrent resolutions will be drafted for on all these rules.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:06 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Wednesday, February 01, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS 29952C1</a>	Universal work recognition licensure pathway	Rep. Crane (13)
<a href="#">24-0000-2202F</a>	Division of Occupational and Professional Licensing — Notice of Omnibus Rulemaking (Fee Rule) - Proposed Rule	Tim Frost, Division Deputy Administrator, IDOPL
	24-2501-2202F - Idaho Driving Businesses Licensure Board (ZBR Chapter Rewrite, Fee Rule)	
	24-3001-2202F - Idaho Accountancy Rules (ZBR Chapter Rewrite, Fee Rule)	
	24-3920-2202F - Plumbing (ZBR Chapter Rewrite, Fee Rule)	
	24-3970-2202F - Installation of Heating, Ventilation, and Air Conditioning Systems (ZBR Chapter Rewrite, Fee Rule)	

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Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Wednesday, February 01, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** Rep. Monks

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**RS 29952C1:** **Rep. Crane (13)** explained the purpose of **RS 29952C1** is to create a universal work recognition licensure. He shared a challenge for experienced tradesmen moving to Idaho from a state which doesn't have a license for their trade, is in order to get an Idaho license, they have to start from square one and go back to school. This legislation creates a pathway for individuals with certain work experience gained in the military, another state, district or territory of the United States, to have an opportunity to take a competency test to obtain an Idaho license in certain fields.

**MOTION:** **Rep. Palmer** made a motion to introduce **RS 29952C1**. **Motion carried by voice vote.**

**DOCKET NO. 24-2501-2202F:** **Chairman Clow** introduced **Tim Frost**, Division Deputy Administrator, Idaho Department of Occupational and Professional Licenses (IDOPL) who explained the proposed rule changes in **Docket No. 24-2501-2202F**. There are formatting changes, simplified language, relaxed training requirements, reporting requirements removed, simplified ability for schools to update curriculum, and is no change to fees.

In response to committee questions, **Mr. Frost** explained online delivery method is allowable for continuing education training.

**MOTION:** **Rep. Furniss** made a motion to approve **Docket No. 24-2501-2202F**. **Motion carried by voice vote.**

**DOCKET NO. 24-3001-2202F:** **Tim Frost**, Division Deputy Administrator, IDOPL explained the proposed rule changes in **Docket No. 24-3001-2202F** includes updating the continuing education standards and accreditation rules, simplifying the pathway for continuing education credit, simplifying language, removing duplicate language and aligning language to statute.

**Vice Chair Ehlers** declared a Rule 80.

In response to committee questions, **Mr. Frost** explained all CPA exams are administered at an off-site location.

**MOTION:** **Rep. Berch**, expressing concern about the change of language from "will" to "may", made a motion to reject section 105.01 of **Docket No. 24-3001-2202F**.

**Chairman Clow** suggested another way to handle the motion would be to make a motion to approve **Docket No. 24-3001-2202F** while rejecting section 105.01.

**MOTION WITHDRAWN:** **Rep. Berch** made a unanimous consent request to withdraw his motion. There being no objections, the request was granted.

**MOTION:** **Rep. Berch** made a motion to approve **Docket No. 24-3001-2202F**, with the exception of Section 105.01, which will be rejected.

**SUBSTITUTE MOTION:** **Vice Chair Ehlers** made a substitute motion to approve **Docket No. 24-3001-2202F** with the exception of all of Section 105. Rejecting only 105.01 would leave that section incomplete. **Substitute motion carried by voice vote.**

**Chairman Clow** turned the gavel over to **Vice Chair Ehlers**.

**DOCKET NO. 24-3920-2202F:** **Mr. Frost** explained the proposed rule changes in **Docket No. 24-3920-2202F** provide clarity and language simplification, removes duplications, and extends permit expiration dates. There are no new permit fees introduced and no fees were increased, and the permitting application process, experience needed and continuing education was simplified. The proposed rule changes also align to code and statute as well as change civil penalties.

**MOTION:** **Rep. Andrus** made a motion to approve **Docket No. 24-3920-2202F Motion carried by voice vote.**

**DOCKET NO. 24-3970-2202F:** **Mr. Frost** explained the proposed rule changes in **Docket No. 24-3970-2202F** included an update to legal authority and proper statute citations, clarity in scope of regulation, and clarified original intent of previous changes. They also simplified language, simplified licensing pathways, expanded accepted continuing education methods, simplified specialty journeyman qualifications, and consolidated three specialty licenses. He shared there are no new permit fees and no permit increases.

**MOTION:** **Rep. Redman** made a motion to approve **Docket No. 24-3970-2202F. Motion carried by voice vote.**

**Rep. Ehlers** turned the gavel over to **Chairman Clow**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:30 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

**AMENDED AGENDA #1**  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Thursday, February 09, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS 30177</u></a>	Update to 48-603G, Idaho Code regarding online subscriptions.	Rep. Shepherd
<a href="#"><u>H 74</u></a>	OCCUPATIONAL LICENSING - Amends and adds to existing law to provide for attorney licensure by the Idaho Supreme Court, to prohibit additional methods of demonstrating competency to qualify for universal licensure, to provide for conditional licensure under certain conditions, and to provide for universal work recognition.	Rep. Crane (13)
	Overview of department performance report.	Tim Frost, Division Deputy Administrator, DOPL
	Overview of department performance report.	Patricia Perkins, Director, Dept. of Finance

**Public testimony may be limited to two minutes at the discretion of the Chair.**  
**Germane stakeholder groups with prior approval may request up to five minutes**

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
Room: EW49  
Phone: 332-1139  
Email: [hbus@house.idaho.gov](mailto:hbus@house.idaho.gov)

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Thursday, February 09, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** Reps. Crane(12), Monks, Rubel

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** turned the gavel over to **Vice Chair Ehlers**

**MOTION:** **Rep. Lanting** made a motion to approve the minutes of the January 19, 2023, January 23, 2023, January 25, 2023 and January 31, 2023 meetings. **Motion carried by voice vote.**

**RS 30177:** **Rep. Shepherd** presented **RS 30177** to the committee explaining it is an update to statute to make cancelling online subscriptions as simple as it is to subscribe in the first place. This does not include certain industries which are already regulated at the state or federal level.

**MOTION:** **Rep. Palmer** made a motion to introduce **RS 30177**. **Motion carried by voice vote.**

**Vice Chair Elhers** turned the gavel over to **Chairman Clow**.

**H 74:** **Rep. Crane(13)** explained the purpose of **H74** is to create a universal work recognition licensure pathway for individuals with four years of work experience in the military, another state, district, or territory of the United States which does not require a license to regulate that person's profession or occupation but for which Idaho uses a license to regulate a profession or occupation. Rep. Crane(13) gave the example of HVAC contractors. He explained more than half of states in the United States do not have journeyman requirements to be an HVAC contractor. In addition, he explained the military has no journeyman provision.

In response to committee questions, **Rep. Crane(13)** shared there is a requirement for a certain number of documented hours in addition to sitting for the competency test. He also explained an applicant's previous criminal convictions are still subject to the licensing authority's determination.

**Chairman Clow** opened the legislation to public testimony. No one indicated their desire to testify.

**MOTION:** **Rep. Palmer** made a motion to send **H 74** to the floor with a **DO PASS** recommendation. **Motion carried with a voice vote.** **Rep. Crane(13)** will sponsor the bill on the floor.

In accordance with statute, **Tim Frost**, Division Deputy Administrator, Idaho Division of Occupational and Professional Licenses (IDOPL) appeared before the committee to report on the department's performance, including goals set and their achievements.

In response to committee questions, **Mr. Frost** shared disparity in some reported numbers from year to year were due to a change in the way new licenses are processed. In addition, there was underreporting of complaints and disciplinary actions taken by the previous organization. He further shared that the rise in numbers to the Boards of Medicine and Nursing were due to COVID-19. Mr. Frost also explained the purpose of the prescription drug monitoring program.

**Chairman Clow** thanked **Mr. Frost** for coming before the committee to share the information. He also requested the committee forward any performance measure suggestions they would like to have IDOPL include in their next performance report to the committee.

In accordance with statute, **Patricia Perkins**, Director, Idaho Department of Finance appeared before the committee to report on the department's performance, including goals set and their achievements. She also shared top challenges and how the department is addressing them.

**Ms. Perkins** introduced **Anthony Polidori**, Deputy Director, Department of Finance who further reported on the department's performance.

In response to committee questions, **Mr. Polidori** explained the number of title and payday lenders is accurate and shared how the law passed several years ago impacted that industry. He further explained the metric used to calculate the number of compliance exams and shared the metric should be clarified in future reporting. Mr. Polidori also clarified the source of revenue received by the department includes licensing fees, assessments made to banks and credit unions as well as fines levied against those in violation of the law. The fines often cause a spike in the agency's revenue depending on the year. He went on to clarify the agency's fees are amongst the lowest in the country. Mr. Polidori also shared the department is working to increase their consumer outreach specifically putting out press releases and updating the department's website to make it more consumer-friendly.

**Chairman Clow** asked **Vice Chair Ehlers** to give a report on the status of one of the partial rules the committee previously rejected.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 2:45 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

**AMENDED AGENDA #2**  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Monday, February 13, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS 30326</a>	The purpose of this legislation is to combat and reduce illegal activities pertaining to the sourcing of catalytic converters.	Rep. Barbieri
<a href="#">RS 30308</a>	Clarifies that state and municipal building codes cannot prohibit use of substitute refrigerants.	Rep. Petzke

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
Room: EW49  
Phone: 332-1139  
Email: [hbus@house.idaho.gov](mailto:hbus@house.idaho.gov)

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Monday, February 13, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** Reps. Palmer, Monks

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**RS 30326:** **Chairman Clow** called on **Rep. Barbieri** to present **RS 30326** to the committee. Rep. Barbieri explained this legislation addresses the increasing problem of catalytic converters being stolen out of vehicles. They are being recycled because the rare minerals they contain are valuable. This bill will add catalytic converters and the rare minerals to existing code to track those who are recycling those materials.

In response to committee questions, **Rep. Barbieri** reiterated the bill is to simply record the information of those who are recycling the catalytic converters.

**MOTION:** **Rep. Redman** made a motion to introduce **RS 30326. Motion carried by voice vote.**

**RS 30308:** **Chairman Clow** called on **Rep. Petzke** to present **RS 30308** to the committee. Rep. Petzke explained the purpose of the legislation is to clarify existing state and municipal building codes to prohibit the use of a substitute refrigerant with certain limitations. This legislation is in response to the passage of the American Innovation in Manufacturing Act. This legislation is being put forth until a regulatory solution can be established.

**Rep. Crane(13)** shared his experience with the fire sprinkler business and the high cost these regulations create for Idaho businesses, he supports the legislation.

**MOTION:** **Rep. Cornellis** made a motion to introduce **RS 30326. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:38 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Wednesday, February 15, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 116</a>	CONSUMER PROTECTION - Amends existing law to revise provisions regarding automatic subscription renewal cancellation.  Overview of department performance report.	Rep. Shepherd  Dean Cameron, Director, Department of Insurance

**Public testimony may be limited to two minutes at the discretion of the Chair. Germane stakeholder groups with prior approval may request up to five minutes.**

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
Room: EW49  
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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Wednesday, February 15, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Monks, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** Reps. Barbieri, Monks, Rubel

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** thanked page **Cache Miller** for his service and presented him with a gift from the committee.

**H 116:** **Rep. Shepherd** introduced himself and presented **H 116** to the committee. He explained this is the "click on- click off" bill. He further shared companies sometimes make subscribing online easy, while making it excessively difficult to unsubscribe or they charge fees. This bill allows subscribers to unsubscribe at no cost, have at least one reasonable unsubscribe option, and no frivolous lawsuits. This bill will not apply to companies which are already regulated by state or federal law.

**Chairman Clow** opened the legislation to public testimony. No one indicated their desire to testify.

**MOTION:** **Rep. Redman** made a motion to send H 116 to the floor with a **DO PASS** recommendation. **Motion carried by a voice vote.** **Rep. Shepherd** will sponsor the bill on the house floor.

**Director Dean Cameron** from the Department of Insurance introduced Deputy Director **Wes Trexler**, Company Activities Bureau Chief, **Eric Fletcher**, Consumer Services Bureau Chief, **Randy Pipal**, Market Oversight Bureau Chief, **Shannon Hohl**, Public Information Officer, **Julie Robinson**, and Idaho State Fire Marshal, **Knute Sandahl**.

In accordance with statute, **Director Cameron** reported on the Department of Insurance's performance, including goals set and their achievements.

In response to committee questions, **Director Cameron** clarified the figures shown for total number of producer licenses do not include inactive, dormant, or terminated licenses. He also shared the department does have fire investigation data classified by category of fire. He explained the two reasons no licenses were denied for the reporting period are: department staff takes a collaborative approach and guides applicants through the process, the other is when applicants learn they will be denied due to a criminal issue, rather than wait for a denial, they withdraw the application instead. **Director Cameron** also clarified how the calculation for responding to company rates and forms filing average time is derived.

**Rep. Berch** suggested it would be interesting to track the withdrawals when licences won't be approved, in order to demonstrate the due diligence the department does take.

**ADJOURN:** There being no business before the committee, the meeting was adjourned at 2:21 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Tuesday, February 21, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 27</a>	Adds to existing law to implement the Employee Medical Information Protection Act.	Rep. Shepherd

**Public testimony may be limited to two minutes at the discretion of the Chair. Germane stakeholder groups with prior approval may request up to five minutes.**

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Monks  
Rep Cornilles  
Rep Crane (12)

Rep Lanting  
Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Tuesday, February 21, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** Reps. Barbieri, Dixon(1), Petzke, Redman

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**Chairman Clow** introduced page, **Kayla Seward**.

**H 27:** **Rep. Shepherd** gave a brief history of **H 27** and shared it needs more work.

**MOTION:** **Rep. Crane(13)** made a motion to **HOLD H 27** subject to the call of the chair.  
**Motion carried by voice vote.**

**Chairman Clow** shared what would be on the upcoming committee meeting's agenda.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:39 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary

AGENDA  
**HOUSE BUSINESS COMMITTEE**  
**1:30 P.M.**  
**Room EW41**  
**Thursday, February 23, 2023**

For members of the public to observe the meeting, please click on the following link:  
<https://www.idahoptv.org/shows/idahoinsession/ew41/>

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 76</a>	Amends and adds to existing law to prohibit homeowner's associations from restricting the right to grow and raise food.	Senator Nichols
<a href="#">24-3910-2201</a>	Rules of the Idaho Electrical Board (ZBR Chapter Rewrite, Fee Rule) - Proposed Rule	Tim Frost, Division Deputy Administrator

**Public testimony may be limited to two minutes at the discretion of the Chair. Germane stakeholder groups with prior approval may request up to five minutes**

***Public Testimony Will Be Taken by Registering Through the Following Link:***  
***[Register to Testify](#)***

***If you have written testimony, please provide a copy to the committee secretary.***

COMMITTEE MEMBERS

Chairman Clow  
Vice Chairman Ehlers  
Rep Crane (13)  
Rep Palmer  
Rep Barbieri  
Rep Dixon (1)

Rep Andrus  
Rep Furniss  
Rep Mitchell  
Rep Cornilles  
Rep Crane (12)  
Rep Lanting

Rep Petzke  
Rep Redman  
Rep Berch  
Rep Green  
Rep Rubel

COMMITTEE SECRETARY

Michelle Anderson  
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MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Thursday, February 23, 2023

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Clow, Vice Chairman Ehlers, Representatives Crane(13), Palmer, Barbieri, Dixon(1), Andrus, Furniss, Mitchell, Cornilles, Crane(12), Lanting, Petzke, Redman, Berch, Green, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

**Chairman Clow** called the meeting to order at 1:30 p.m.

**H 76:** **Sen. Nichols** explained the purpose of **H 76** is to permit and encourage programs and policies which sustain greater local food security and to improve access to healthy foods, and it will protect the inherent rights of citizens to sustain themselves on their own property by growing and raising food and will encourage the protection of sustainable cultivation of fresh produce and protein at all levels of production in Idaho. She further shared the inspiration for this legislation was when a constituent came to her concerned about rising food prices and how HOA rules go beyond their local ordinances preventing people from being able to grow and raise their own food.

In response to committee questions, **Sen. Nichols** shared there are HOAs located outside of city boundaries. She further explained approximately forty city and county ordinances have been verified to already contain limits on the size of lots which permit certain kinds of animals. Sen. Nichols further shared there were no cities or counties found during their research which didn't have ordinances regarding the keeping and processing of animals. She explained cities tend to be more restrictive. For example, many will allow hens but not roosters. Sen. Nichols also shared there is no grandfather allowance in the legislation.

**Chairman Clow** opened the legislation to public testimony.

**Amy Weidner** explained how HOA rules have impacted her gardening and farming students' ability to grow and raise food which is why she worked with **Sen. Nichols** to write **H 76**. She also explained during her research, she found in Canyon County alone, there are more than 4000 HOAs, 75% of which have restrictions or outright prohibitions of any agricultural activities. She further shared these restrictive HOAs include larger, 10 acre-sized pieces of property.

**Rep. Crane(13)** said while he is sympathetic to food security issues, asked **Mrs. Weidner** if she would be amenable to amending the bill to limit it to smaller animals. Mrs. Weidner explained that state, county and city ordinances already address the humane keeping and care of animals.

**Kim Yanecko, Ryan Kuhns, and Lyle Johnstone** testified in support of **H 76** explaining their concerns about the rising costs and supply shortage of food, being able to grow one's own food is important but HOAs often stand in the way.

In testimony **opposed to H 76**, **Scott Emerich**, president of Hillsdale Estates HOA, **Bob Van Arnem**, and **Bill Schultz** president of Kingsbridge HOA, shared their concerns about the nuisances animals might bring onto properties and concerns about owners who already purchased their properties in HOAs because of the strict covenants. **Brittany Bones**, attorney representing Idaho CAI Legislative Action Committee shared the legislation undermines the purpose of CC&Rs and explained, concerns about growing food would be better addressed by changing rules through the HOA. **Brindee Collins** representing Idaho CAI Legislative Action Committee, shared concerns about the definitions of town homes in the legislation and how **H 76** is far reaching. **Max Pond** from Idaho Association of Realtors shared concerns about the legislation's impact on property values. **Michelle Stanovich**, association manager, shared her concerns as to the way the bill is written and how it would be enforced. She doesn't believe it would be practical to implement.

In response to committee questions, **Brittany Bones** said the bill would cover home subdivisions that do not have HOAs but do have restrictive covenants. She also explained the restrictive covenants HOAs use are living documents which can be altered by their communities. She shared most covenants deal with the correction of nuisance issues like lack of maintenance and not the improvement of gardening.

In response to committee questions, **Max Pond** said the existence of a HOA doesn't impact a property's value.

In her closing remarks, **Sen. Nichols** reiterated the intent is to rely on local jurisdiction for food growing ordinances. She shared examples of existing city ordinances which address animal care and keeping. Sen. Nichols also read an excerpt from Title 22, chapter 45 of Idaho Code, which includes the statement: the right to farm is a natural right and is recognized as a permitted use throughout the state of Idaho. She also explained a bill which was signed by the governor in 2022 restricted HOAs from superseding Idaho Code in regards to solar panels, political signs and flags, paint colors and restrictions on rentals. Sen. Nichols told the committee she shared **H 76** with the Attorney General's Office which found no legal issues with the bill. HOAs prevent people from being self-sufficient. Local ordinances already cover problems which could arise like smell, maintenance, animal neglect and so on.

In response to committee questions, **Sen. Nichols** said if the committee is willing to work with her and her constituent to come up with an amicable solution, she would be agreeable to amending the legislation.

**MOTION:** **Rep. Jordan** made a motion to send **H 76** to General Orders.

**SUBSTITUTE MOTION:** **Rep. Rubel** made a substitute motion to hold **H 76** in committee.

Speaking to that motion, **Rep. Rubel** shared general orders is helpful when small changes are needed, however when there's a substantial rewrite needed it's not ideal. Rep. Rubel shared there is still enough time in the session to get a new bill introduced.

Speaking in **support** of the substitute motion, **Rep. Berch** commented he doesn't see a balance being struck in the bill as written between those who want to be more self-sufficient and their neighbors.

**VOTE ON MOTION:** **Motion carried by voice vote.**

**Chairman Clow** put the committee at ease at 3:01 p.m.

**Chairman Clow** resumed the meeting at 3:06 p.m.

**MOTION:**        **Rep. Crane** made a motion to hold **DOCKET No: 24-3910-2201** subject to the call of the chair. **Motion carried by voice vote.**

**ADJOURN:**        There being no further business to come before the committee, the meeting was adjourned at 3:14 p.m.

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Representative Clow  
Chair

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Michelle Anderson  
Secretary